

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

6 | GARY L. LEWIS,

Plaintiff,

9 SAN PABLO LYTTON CASINO & CHRISTOPHER

Defendants.

Case No: C 11-5060 SBA

ORDER DISMISSING ACTION

3 Plaintiff Gary L. Lewis filed the instant pro se action, apparently pursuant to 42
4 U.S.C. § 1983, against San Pablo Lytton Casino and “Christ Topher,” along with a request
5 to proceed in forma pauperis (“IFP”). Dkt. 1, 4. On November 18, 2011, the Court
6 dismissed the action for failure to state a claim, and gave Plaintiff until December 9, 2011
7 to amend his complaint. Dkt. 15. The Court expressly warned Plaintiff that if he failed to
8 file an amended complaint by that deadline, the Court would dismiss the action under
9 Federal Rule of Civil Procedure 41(b) and terminate the action. Id. at 4. To date, Plaintiff
10 has not filed an amended complaint. As such, the Court finds that dismissal of the action is
11 appropriate. See Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992). Accordingly,

2 IT IS HEREBY ORDERED THAT the instant action is DISMISSED without
3 prejudice. The Clerk shall close the file and terminate any pending matters.

IT IS SO ORDERED.

5 | Dated: January 17, 2012

Saudra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 LEWIS et al,

5 Plaintiff,

6 SAN PABLO LYTTON CASINO et al,

7 Defendant.

8 _____/ Case Number: CV11-05060 SBA

9
10 **CERTIFICATE OF SERVICE**

11
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on January 17, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

16
17 Gary L. Lewis
18 P.O. Box 99194
Emeryville, CA 94608

19 Dated: January 17, 2012

20 Richard W. Wiking, Clerk

21 By: LISA R CLARK, Deputy Clerk